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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/419,891 10/18/99 BARACCHINI P 1247-0831-3

HM22/0510

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EXAMINER

WILLIAMSON, M

ART UNIT

PAPER NUMBER

1616

DATE MAILED:

05/10/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/49,891

Applicant(s)

BARECHINI et al

Examiner

Williamson

Group Art Unit

1616

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 3/20/2001
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-3 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-3 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

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DETAILED ACTION

Pending Claims

The pending claims in the instant application are 1-3. The only independent claim is 1.

Claim Rejections - 35 USC § 102

1. The rejection of claims 1-3 under 35 U.S.C. 102(b) as being anticipated by Kennedy et al. (U.S. Patent 5,308,692) has been withdrawn in view of Applicant arguments.

Claim Rejections - 35 USC § 103

2. The rejection of Claims 1-3 under 35 U.S.C. 103(a) as being unpatentable over Kennedy et al. (U.S. Patent 5,308,692) has been withdrawn in view of Applicant's arguments.

3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Debouzie et al. (U.S. Patent 4,632,685).

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Debouzie et al. discloses a thermoinsulating flexible mat of mineral fibers having a substantially random orientation, comprising doubly crimped fibers. The reference does not appear to literally disclose fibers having a diameter between 2.5 and 4.5 micrometers and the volumetric mass as claimed, although it does disclose fibers having a mean diameter of around 6 to 14 micrometers and an average length of around a few centimeters (see col. 7, lines 43-44). Fibers of 12 micrometers and 1-3 centimeters in length are mentioned (see col. 9, lines 57-58). Volumetric mass, i.e., density of the mats of the reference are exemplified by range of 50-150 kg/m³ at a thickness of 30-120 millimeters (see col. 9, lines 66-68). It is disclosed that most commercial insulating mats of this type have densities of 30-50 kg/m³ (see col. 7, line 32).

Therefore, it would have been obvious to one of ordinary skill in the art to vary the fiber diameter, length and degree of compression to obtain a mat having densities common to similar commercial products of this type in order to produce insulating mats which are resistant to compression or tearing and the avoid damage to the fibers in the absence of a factual showing to the contrary or a showing of unexpected results (see col. 7, lines 25-31, lines 49-52 and col. 8, lines 10-12).

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4.

Crystal Mall 1 Facsimile Center

A facsimile center has been established in Crystal Mall 1, room 7C10. The hours of operation are Monday through Friday, 8:45 AM to 4:45 PM. The telecopier number for accessing the facsimile machine is (703) 308-4556. The new location should be used in all instances when faxing any correspondence to Group 1600. Use of the new Crystal Mall 1 center will facilitate rapid delivery of materials to the Group. The faxing of all papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 (November 15, 1989).

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Michael A. Williamson whose telephone number is (703) 308-1235.



Michael A. Williamson
Patent Examiner
Group 1610

Williamson020509
May 9, 2001